

REMARKS

Claims 1-3, 5-8, 10-15, 17-21 and 23-33 are pending in the present application.

The Examiner has required election in the present application between:

- Group I, claims 1-3, 5 and 28, drawn to a method for ordering print images, classified in class 705, subclass 26;
- Group II, claims 6-10 and 29, drawn to input means, classified in class 345, subclass 156;
- Group III, claim 11, drawn to indicating available services, classified in class 705, subclass 14;
- Group IV, claim 12, drawn to displaying an order screen, classified in class 715, subclass 760;
- Group V, claims 13-15, 17, 28 and 30, drawn to displaying data stored on a computer readable medium, classified in class 369, subclass 471;
- Group VI, claims 19-21, 23, 24 and 31, drawn to a computer, classified in class 708, subclass 134;
- Group VII, claim 25, drawn to a server, classified in class 709, subclass 223; and
- Group VIII, claims 26 and 32, drawn to a computer program, classified in class 719, subclass 312.
- Group IX, claims 27 and 33, drawn to a computer readable medium, classified in class 711, subclass 115.

For the purpose of examination of the present application, Applicants elect Group I, Claims 1-3, 5 and 28, with traverse.

Applicants submit that the Examiner has not presented sufficient rationale for the Restriction Requirement.

First, in the absence of a showing of a burden to the Examiner for searching the claims, Applicants submit that the restriction requirement is improper. M.P.E.P. § 803 states that “[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner *must* examine them on the merits, even though they include claims to independent or distinct inventions” (emphasis added). Indeed, the extensive history of prosecution of this case (beginning in November of 1998) reveals that previous Office Actions include rejections directed to all of the alleged groups. This is sufficient evidence to show that there is in fact no burden to the Examiner in searching the claims.

In addition, Applicants submit that the alleged groups of claims are all directed to features regarding updatable printing services information, the fact of which is clear from the Examiner’s prior Final Office Action dated February 25, 2003, which rejected, whether proper or not, all of the claims in view of the same two references. Clearly, the history of this case shows that the claims have presented no burden of search to the Examiner.

Absent a showing by the Examiner of why the restriction requirement is proper, Applicants respectfully submit that an restriction requirement is in fact improper, and respectfully request that the restriction requirement be withdrawn.

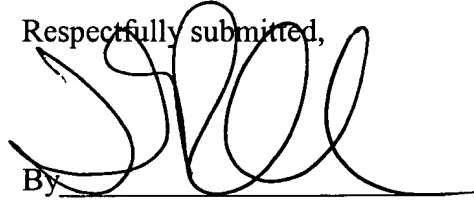
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders, Registration No 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☒ Attached is a Petition for Extension of Time.
- ☒ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 18, 2008

Respectfully submitted,



By

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